

REMARKS

Claims 1-13 are rejected under 35 USC §102(b) and/or 103 as anticipated by Dignard et al., U.S. 4,662,630, and Warshauer, U.S. 6,033,348.

Claims 1, 2, and 5-7 have been amended, claims 3-4 and 8-13 have been cancelled, and new claim 14 has been added. Claim 1 reads as follows:

1. (Currently Amended) A striking target device comprising:

a target body with a generally planar striking surface with a main striking area and at least one pivot striking area;

a base; and

a means pivot mechanism for pivotally mounting the target body on the base such that the striking area remains fixed on a first plane when struck in the main striking area, but pivots on an axis to a different fixed plane when struck in the pivot striking area.

The prior art does not teach such a construction. In particular, the prior art does not teach a striking target device that includes a target body that pivots about a base on a pivot mechanism that functions as described, pivoting between two fixed striking planes.

Examiner notes that if the pin were removed from the Dignard target, it would also pivot. First, Dignard does not teach a target that pivots, and only modifying the target by removing the pin would potentially allow it to pivot. Dignard therefore does not teach the present invention. Second, even with the pin removed, Dignard would not pivot as claimed, between

two fixed striking planes. Rather, the Dignard device would merely spin freely, and therefore uselessly. Only the pivot mechanism described and claimed herein makes the striking target functional.

Since the prior art does not teach the limitations described in the claimed invention, applicant hereby requests that claims 1, 2, 5-7, and 14 be allowed.

2. (Currently Amended) The striking target device of claim 1 wherein the ~~means~~ pivot mechanism ~~for pivotally mounting~~ includes:

a cam tube having a cam edge; ...

a guide tube having a cam follower; and

a tension means for providing tension between the cam tube and the guide tube such that the cam edge is biased against the cam follower, allowing such that the guide tube to pivot about the axis such that striking surface pivots to a different fixed striking plane when struck in the pivot striking area.

The prior art does not teach such a construction. In particular, the prior art does not teach a striking target device that includes a pivot mechanism that includes a cam edge that engages a cam follower to provide the movement between the two striking planes.

Applicant admits that Warshauer teaches a spring that enables flexible movement between a martial arts target and a base. However, spring does not bias the target towards the base, but only flexibly connects them. Furthermore, the Warshauer device does not teach the cam


edge/cam follower that are biased together by the tension means of the present invention, which enable the unique movement of the present invention.

Since the prior art does not teach the limitations described in the claim 2, applicant hereby requests that claim 2 be allowed. In addition to the reasons provided above, claims 5-7 and 14 each describe additional limitations that are not shown in the prior art; applicant therefore requests that these additional claims also be allowed.

A petition and fee for extension of time in the present response of 3 months is enclosed herewith. Therefore this amendment is timely filed as of the date of deposit shown below.

Applicant respectfully requests allowance of claims 1, 2, 5-7, and 14, as the above amendments have placed these claims into condition for allowance.

Respectfully submitted,


Eric Karich, Patent Registration 41,503
CUSTOMER NUMBER 21704, 800-949-0255

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I hereby certify that this correspondence is being sent via facsimile to the Commissioner for Patents at 571-273-8300 on 9-19-07 date of deposit.

Signature:


Eric Karich